



NUMBER 13-97-00196-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

**TIM STURM, INDIVIDUALLY, AND D/B/A
CENTERRA TUBULAR COMPANY,**

Appellant,

v.

TUBULAR INSPECTORS, INC.,

Appellee.

**On appeal from the County Court at Law No. 4
of Nueces County, Texas.**

MEMORANDUM OPINION

**Before Justices Yañez, Rodriguez, and Benavides
Memorandum Opinion Per Curiam**

This appeal was abated by this Court on May 29, 1997, due to the bankruptcy of one of the parties to this appeal. See 11 U.S.C. § 362; see *generally* TEX. R. APP. P. 8. Since the abatement there has been no activity in this appeal. On April 16, 2009, the Court

ordered the parties to file an advisory regarding the status of the appeal and, if applicable, a motion to reinstate the appeal or a motion to dismiss the appeal.

Appellee responded to the order by filing a motion to dismiss, advising the Court that appellant was discharged in bankruptcy. Accordingly, appellee's motion to dismiss is GRANTED and the appeal is hereby DISMISSED. Costs will be taxed against appellant. See TEX. R. APP. P. 42.1(d) ("Absent agreement of the parties, the court will tax costs against the appellant.").

PER CURIAM

Memorandum Opinion delivered and
filed this the 4th day of June, 2009.